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Kathy Ann Herziger

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MICHAEL BEST & FRIEDRICH, LLP  
100 E WISCONSIN AVENUE  
Suite 3300  
MILWAUKEE, WI 53202

EXAMINER

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3691

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/970,149

Applicant(s)

HERZIGER, KATHY ANN

Examiner

Marissa Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) 78-102 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/14/2003 and 10/2/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Action is in response to an election/restriction reply submitted 2/22/2007. Claims 1-77 are presented for examination and claims 78-102 are cancelled.

#### ***Drawings***

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are unclear. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

#### ***Specification***

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1, 39 and 56-57 are rejected by 35 USC 112 second paragraph.

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3. The term "full currency" in claim 1 is a relative term which renders the claim indefinite.

The term "full currency" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

4. The term "changing the first amount of currency" in claim 1 is a relative term which renders the claim indefinite. The term "changing the first amount of currency" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

5. The term "a most recent currency amount" in claim 56 is a relative term which renders the claim indefinite. The term "a most recent currency amount" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

6. The term "a most recent currency amount" in claim 57 is a relative term which renders the claim indefinite. The term "a most recent currency amount" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

7. The phrase "currency amounts is represented as a plurality of negative numbers" in claim 39 is a relative term which renders the claim indefinite. The term "currency amounts is represented as a plurality of negative numbers" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

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8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-13, 15-17, 19, 22, 28-38, 45-55, 58-59, 61, 63 and 65-71 are rejected under 35 U.S.C. 102(b) as being unpatentable by Grant et al., US Patent Number: 4,660,168 (PTO 892 form A).

10. As per claim 1, Grant et al. teaches a method of managing an ATM, comprising: providing a processor adapted to be coupled to an ATM, the ATM including a receptacle configured to retain a range of currency amounts between and including an empty currency amount and a full currency amount (column 8, lines 1-2; Figs. 2 and 6-7); receiving first data from the ATM, wherein the first data corresponds to a first amount of currency in the receptacle between the empty currency amount and the full currency amount (Figs. 6-7; column 13, lines 31-34); storing the first data in a memory associated with the processor (column 8, lines 1-2); receiving a transaction request at the ATM (Figs. 6-7); changing the first amount of currency in the receptacle to a second amount of currency in response to the transaction request, wherein the second amount of currency in the receptacle is between the empty currency amount and the full amount (Figs. 6-7; column 13, lines 31-49; column 14, lines 1-55); receiving second data from the ATM, the second data corresponding to the second amount of currency in the receptacle (Figs. 6-7; column 31-49; column 14, lines 1-55); storing the second data in the memory associated with the processor (column 8, lines 1-2); receiving a query for at least one of the first

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data and the second data (column 14, lines 10-55; Figs. 6-7); and outputting data corresponding to the at least one of the first data and the second data in response to the query (column 13, lines 49-58).

11. As per claim 2, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches the method further comprising: receiving additional transaction requests at the ATM (Figs. 6-7; column 13, line 65-column 14, line 55); changing currency amounts in the receptacle to different currency amounts in response to at least some of the additional transaction requests (Figs. 6-7; column 13, lines 31-49; column 14, lines 1-55); receiving additional data from the ATM, the additional data corresponding to the different currency amounts (Figs. 6-7; column 13, lines 31-49; column 14, lines 1-55); storing the additional data in the memory associated with the processor (column 8, lines 1-2); receiving a query for at least one of the first data, the second data, and the additional data (column 14, lines 10-55; Figs. 6-7); and outputting data corresponding to the at least one of the first data, the second data, and the additional data (column 13, lines 49-58).

12. As per claim 3, Grant et al. teaches the method as claimed in claim 2 described above. Grant et al. wherein receiving additional data from the ATM occurs during each transaction performed by the ATM (Fig. 2, column 5, lines 46-68).

13. As per claim 4, Grant et al. teaches the method as claimed in claim 2 described above. Grant et al. further teaches wherein receiving additional data from the ATM occurs after each transaction performed by the ATM (Figs. 2 and 6-7).

14. As per claim 5, Grant et al. teaches the method as claimed in claim 2 described above. Grant et al. further teaches wherein receiving additional data from the ATM occurs during at least some transactions performed by the ATM (Figs. 2 and 6-7).

15. As per claim 6, Grant et al. teaches the method as claimed in claim 2 described above. Grant et al. further teaches the method further comprising: receiving a query for a history of currency amounts in the ATM; and outputting data corresponding to the history of currency amounts at the ATM (Figs. 2 and 6-7).

16. As per claim 7, Grant et al. teaches the method as claimed in claim 2 described above. Grant et al. further teaches wherein the processor is coupled to a plurality of ATMs, the method further comprising repeating all receiving, storing, and changing steps for each of the plurality of ATMs (Figs. 6-7; column 1, lines 6-9).

17. As per claim 8, Grant et al. teaches the method as claimed in claim 7 described above. Grant et al. further teaches wherein the query is a query for at least one of the first data, the second data, and the additional data of at least some of the plurality of ATMs (Figs. 6-7; column 1, lines 6-9; column 14, lines 10-15).

18. As per claim 9, Grant et al. teaches the method as claimed in claim 8 described above. Grant et al. further teaches wherein: receiving a query includes receiving a query for a history of currency amounts in at least some of the plurality of ATMs (Figs. 6-7; column 1, lines 6-9); and outputting data includes outputting data corresponding to the history of currency amounts in the at least some of the plurality of ATMs (Figs. 6-7; column 1, lines 6-9).

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19. As per claim 10, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein: the receptacle is one of at least two receptacles configured to retain respective ranges of currency amounts between and including respective empty currency amounts and full currency amounts; and the first and second data further correspond respectively to first and second amounts of currency in each receptacle between the empty currency amounts and the full currency amounts (column 8, lines 1-2; column 13, lines 31-49; column 14, lines 1-55; Figs. 2, 6-7).

20. As per claim 11, claim 11 is equivalent of claim 6. Please refer to claim 6 rejection.

21. As per claim 12, Grant et al. teaches the method as claimed in claim 11 described above. Grant et al. further teaches wherein the query is a query for data corresponding to a plurality of successive transactions performed by the ATM (Figs. 6-7).

22. As per claim 13, Grant et al. teaches the method as claimed in claim 10 described above. Grant et al. further teaches wherein the query is a query for data corresponding to all transactions performed by the ATM over a period of time (Figs. 6-7).

23. As per claim 15, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein: the receptacle is one of at least two receptacles of the ATM (abstract; column 1, lines 1-31; Figs. 6-7, where “dispense bill from each of two sleeves” is equivalent of “at least two receptacles”); and the query is a query for a total amount of currency in each of the at least two receptacles of the ATM (Figs. 6-7); and outputting data includes outputting data representative of the total amount of currency in each of the at least two receptacles (Figs. 6-7; abstract).



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24. As per claim 16, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein the currency is one of cash, stamps, and tickets (abstract; Fig. 6).
25. As per claim 17, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein the first and second data represent a net amount of currency dispensed from the ATM (Figs. 6-7).
26. As per claim 19, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein the first and second data include data identifying the ATM.
27. As per claim 22, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. further teaches wherein: the processor is a processor of a service provider (Fig. 2); the query is received from a computer of a customer of the service provider (column 8, lines 1-41); and the computer is remote from the processor of the service provider (column 15, lines 15-22).
28. Claims 28-38, 45-55, 58-59, 61, 63 and 65-71 are rejected using the same logic as claims 1-13, 15-17, 19 and 22 rejections.

***Claim Rejections - 35 USC § 103***

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 14, 18, 20-21, 23-27, 39-4456-57, 60, 62, 64 and 72-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grant et al., US Patent Number: 4,660,168 (PTO form A) in view of Official Notice.

31. As per claim 14, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. does not teach wherein: the query is a query for a total amount of currency in the ATM; and outputting data includes outputting the total amount of currency in the ATM. Official Notice is taken that query for amount of currency and outputting the amount of currency is old and well established in the business practice as a convenient way for knowing and obtaining financial data. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included query for amount of currency and outputting the amount of currency.

32. As per claim 18, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. does not teach wherein the first and second data represent an amount of currency remaining in the ATM. Official Notice is taken that data represent an amount of currency is old and well established in the business practice as a convenient way for knowing and obtaining financial data. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included data represent an amount of currency.

33. As per claim 20, Grant et al. teaches the method as claimed in claim 19 described above. Grant et al. does not teach wherein the data identifying the ATM includes location information of the ATM. Official Notice is taken that including location information of the ATM is old and well established in the business practice as a convenient way for customer to locate the ATM. It

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would have been obvious to one having ordinary skill in the art at the time of the invention to have included location information of the ATM.

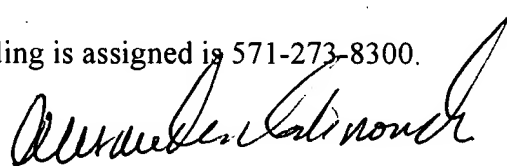
34. As per claim 21, Grant et al. teaches the method as claimed in claim 1 described above. Grant et al. does not teach wherein the second data includes data identifying the user from which the transaction is requested. Official Notice is taken that data identifying the user is old and well established in the business practice as an efficient way to validate user. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included data identifying the user.

35. Claims 23-27, 39-44, 56-57, 60, 62, 64 and 72-77 are rejected using the same logic as claims 1-22.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on 571-272-6711. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



ALEXANDER KALINOWSKI  
SUPERVISORY PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.